(*b*) The question whether the Vaidyasala should be shifted from its present site or not is under the consideration of Government.

31. Mr. Puthur Achyuta Menon *(Kattur):* Will the Government be pleased to state.—

(*a*) where the present Parappukkara Vaidyasala is situated;

(*b*) for how many years the Vaidyasala had been in the present place;

(*c*) is there any proposal for shifting the Vaidyasala to any other place;

(*d*) if the answer to (*c*) is in the affirmative, will Government be pleased to state what prompts Government to shift the Vaidyasala?

Dr. A. R. Menon *(Minister for Rural Development):*

(*a*) In Nandikkara village.

(*b*) Six years and 4 months.

(*c*) and (*d*) There were deputations and representations to Government both for and against shifting the Vaidyasala from its present site. The question is under the consideration of Government.

ACHAMMA KURUVILLA—APPOINTMENT BY THE STAFF SELECTION BOARD, ENQUIRY REGARDING PARENTAGE AND DOMICILE

32. Mr. C. V. Iyyu *(Kunnamkulam):* Will the Government be pleased to state.—

(*a*) Whether Achamma Kuruvilla, B. Sc., (Zool.), (Other Christian—Mar Thoma), appointed as per S. O. No. 32, dated 30th August 1940, as per recommendation of the Staff Selection Board, is not a Travancorean;

(*b*) Whether the Government be pleased to conduct a thorough enquiry as to her parentage and domicile?

Mr. K. Achyuta Menon *(Secretary to Government):*

(*a*) Though born in Travancore, she is a domiciled subject of the State.

(*b*) Government have made enquiries.

Mr. C. V. Iyyu *(Kunnamkulam):* May I know what is the law by which the domicile of a person is established in Cochin State?

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Mr. K. Achyuta Menon *(Secretary to Government):* 7 years' residence in the State.

Mr. C. V. Iyyu *(Kunnamkulam):* May I know whether there is any Government Order or any publication in the Gazette that 7 years' residence is enough to get a domicile in Cochin State ?

Mr. K. Achyuta Menon *(Secretary to Government):* It is stated as 7 years.

Mr. C. V. Iyyu *(Kunnamkulam):* Was it published in the Gazette ?

Mr. K. Achyuta Menon *(Secretary to Government):* I want notice.

Mr. C. V. Iyyu *(Kunnamkulam):* Will the residence in any capacity of 7 years entitle one to become a domicile here ? One might have resided here for a period of 7 years during his student days.

Mr. K. Achyuta Menon *(Secretary to Government):* It has been ruled that 7 years' residence in any capacity would be enough for the purpose of appointments made by the Staff Selection Board.

Mr. K. R. Viswambharan *(Ezhuvas-Talappalli):* May I know, Sir, whether this rule is incorporated in any Government Order or Proceedings or any statute ?

Mr. K. Achyuta Menon *(Secretary to Government):* Yes.

Mr. C. V. Iyyu *(Kunnamkulam):* Was it published in the Gazette ?

Mr. K. Achyuta Menon *(Secretary to Government):* I want notice.

Mr. C. V. Iyyu *(Kunnamkulam):* I can firmly assert that it has not been published in the Gazette.

Dr. A. R. Menon *(Minister for Rural Development):* So you have gone through all the Gazettes ?

Mr. C. V. Iyyu *(Kunnamkulam):* Yes, I do *(Laughter).*

Mr. T. P. Poulose *(Kanayannur):* Is that a specific provision for the purpose of the Staff Selection Board alone ?

Mr. K. Achyuta Menon *(Secretary to Government):* For the purpose of appointments in the State. This is an old order.

Mr. K. R. Viswambharan *(Ezhuvas-Talappalli):* What do you mean by an "old order"?

Mr. K. Achyuta Menon *(Secretary to Government):* That rule existed just before the Staff Selection Board came into existence

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or along with it. That was made applicable to the appointments by the Staff Selection Board.

Mr. C. V. Iyyu *(Kunnamkulam):* When was that order passed ?

Mr. K. Achyuta Menon *(Secretary to Government):* I think it was in 1111 or so—I speak subject to correction.

Mr. C. V. Iyyu *(Kunnamkulam):* Are the Government aware that this 7 years' residence in any other State will not be sufficient for domicile in that State ?

Mr. K. Achyuta Menon *(Secretary to Government):* To the best of my knowledge there are some other Governments who observe this rule.

Mr. C. R. Iyyunni *(Trichur-South):* Is it not necessary that for this purpose the person who is residing here should have the intention to permanently settle down here ?

Mr. K. Achyuta Menon *(Secretary to Government):* All the facts necessary to make him a permanent resident are necessary.

Mr. C. R. Iyyunni *(Trichur-South):* The mere residence in a particular place for a period of 7 years will not entitle one to become a domiciled subject of the place. There should be further the intention that he should settle down permanently in the locality.

Mr. C. V. Iyyu *(Kunnamkulam):* Is that condition satisfied in this particular case ?

Mr. K. Achyuta Menon *(Secretary to Government):* The enquiry shows that that condition is also satisfied. It showed that she was here for about 30 years.

Mr. C. V. Iyyu *(Kunnamkulam):* If she was here for 30 years, then she should have been age-barred. In that case why was she appointed ?

Mr. K. Achyuta Menon *(Secretary to Government):* It is not she. Her aunt, the guardian, was here for 30 years.

Mr. C. V. Iyyu *(Kunnamkulam):* There are several others in Travancore or British India whose relations are residing here for generations together.

Mr. K. Achyuta Menon *(Secretary to Government):* She was depending upon her aunt, and she was here and has been a permanent resident for more than 7 years.

Mr. A. Madhava Prabhu *(Diwan Peishkar):* I will submit for the information of the House what exactly are the facts. The girl's father died when she was very young. There was practically nothing for her as property except a small hut in Travancore. One

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aunt of her is a mid-wife or nurse in this Government service. She was the only relation who could look after her, and on whom she and two other children of her parents could depend upon. So they migrated to this place. The youngest of the children remained with the mother in the house. From that time till this day this aunt had been taking care of them. This girl along with her brother were brought up, and educated by their aunt in this State. They have more or less adopted this State as their own. I found from Dicey's International Law that the question of intention also should be satisfied. Both the conditions have been satisfied in this case.

Mr. C. V. Iyyu *(Kunnamkulam):* May I know the percentage of appointments the Cochinite Marthomites are entitled to get?

Mr. President: That question does not arise out of this.

Mr. C. V. Iyyu *(Kunnamkulam):* It will cause much hardship in the case of a minority community like that of the Marthomites, if Travancoreans are given their turns by the Staff Selection Board. Why don't you adopt this rule in the case of the majority communities also?

Mr. K. Achyuta Menon *(Secretary to Government):* One other fact I wish to place before the House. She has stated in her application to the Board that she is a Cochinite. The appointment was made on that statement in the application. When a specific objection was raised, we enquired into it and found out that even for purposes of appointment she was eligible and that the appointment was correct. We proceeded on the assumption that she was a Cochinite as stated in her application, and after the enquiry also we find that she fulfils all the requirements for purposes of appointment in Cochin State.

Mr. C. V. Iyyu *(Kunnamkulam):* May I know whether there were not genuine Cochinites from the Mar Thoma community?

Mr. K. Achyuta Menon *(Secretary to Government):* I said before that in the application she has stated that she is a Cochinite.

Mr. President: How is it that some are genuine Cochinites and others not? All Cochinites are genuine.

Mr. A. B. Salem *(Mattancheri):* Are not Travancoreans appointed in this State?

Mr. K. Achyuta Menon *(Secretary to Government):* Not after the constitution of the Staff Selection Board. They must satisfy certain conditions of domicile.

Mr. A. B. Salem *(Mattancheri):* Is there any bar to Travancoreans being appointed here?

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Mr. President: We give preference to Cochinites, and when they are not available, we appoint Travancoreans also. For example, we have appointed a Travancorean as Press Superintendent, because we could not get a qualified Cochinite for the post.

Mr. A. B. Salem *(Mattancheri):* Why so much heat about one Achamma? *(Laughter)*

Mr. C. V. Iyyu *(Kunnamkulam):* Because there are other qualified Cochinites in the same sub-community who possess the same qualification and who are unemployed.

Mr. K. R. Viswambharan *(Ezhuvas-Talappalli):* May I know whether the Government have any objection to see that the Travancore and British Governments also adopt the same reciprocal arrangements there also?

Mr. President: That question does not arise.

Mr. C. V. Iyyu *(Kunnamkulam):* May I know whether there is not a Government Order at the time of Diwan Mr. Narayana Menon to the effect that unless a candidate or his father or mother is born in Cochin or he or she or his or her tarawad or thavazhi has got properties in Cochin, he or she could not be appointed?

RADIO LICENSES—FEES FOR RENEWAL—CHANGE IN RATES

33. Mr. V. K. Bhaskara Menon *(Cranganur):* Will the Government be pleased to state whether they are aware that applications for the renewal of Radio licenses are now charged a fee of eight annas contrary to the old practice, and if the answer is in the affirmative, will the Government kindly state the reasons and authority for the change?

Mr. K. Achyuta Menon *(Secretary to Government):* A Cochin court-fee label of annas eight is charged now for the renewal of each Radio license. No formal application in any prescribed form was insisted on or received from parties by the Chief Engineer for the renewal of the Radio licenses. But, when the power of granting Radio licenses was transferred to the District Magistrate, an application form for the license (Form I) has been prescribed, and a court fee stamp of eight annas is insisted on. S. O. No. 211 (2) clearly states that every application addressed to the Heads of Departments should be entertained only with a court fee stamp affixed. Applications for the renewal of Radio licenses have not also been exempted from the Cochin Court Fees Act. Hence a Cochin court fee label of annas eight is insisted on for each application.

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